

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE HEARTLAND PAYMENT	)	CIVIL ACTION NO. H-09-MD-02046
SYSTEMS, INC. DATA SECURITY	)	
BREACH LITIGATION	)	
-----	)	
THIS DOCUMENT RELATES TO:	)	
	)	
CONSUMER TRACK ACTIONS	)	

**JOINT MOTION FOR ENTRY OF [PROPOSED] JUDGMENT**

On March 20, 2012, the Court entered a Memorandum and Order granting the Representative Consumer Plaintiffs' motion for final approval of the settlement and granting in part and denying in part their motion for attorneys' fees and costs and for incentive awards. *See* D.E. # 160.

A final judgment has not yet been entered. Accordingly, the Representative Consumer Plaintiffs and Defendant Heartland Payment Systems Inc. ("Heartland") hereby jointly move for entry of the [Proposed] Judgment attached as Exhibit A. Exhibit A is the agreed-upon form of judgment appended to the parties' Settlement Agreement, *see* Exhibit E to D.E. # 57, and that the Representative Consumer Plaintiffs filed with their motion for final approval of the settlement, *see* Exhibit 2 to D.E. # 108. The [Proposed] Judgment attached as Exhibit A has been updated to reflect the Court's rulings on attorneys' fees and costs and incentive awards. For the Court's reference, the parties attach as Exhibit B a comparison illustrating the revisions to the form of judgment previously submitted to the Court.

WHEREFORE, the parties submit the attached [Proposed] Judgment based on the Court's Memorandum and Order on the consumer track settlement, and respectfully request that the Court enter judgment forthwith.

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Consumer Track*

/s/ Anne E. Johnson

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record, who are deemed to have consented to electronic service, are being served this 3rd day of April 2012 with a copy of this document via the Court's CM/ECF system per the Local Rules.

/s/ Anne E. Johnson  
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